

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

ROY HIGHTOWER,

Plaintiff,

v.

STATE OF ALABAMA, *et al.*,

Defendants.

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**CIVIL ACTION NO.
07 cv 558-MHT**

JOINT STATEMENT REGARDING REPRESENTATION OF PARTIES

In response to this Honorable Court's Order of June 25, 2007 [Doc. No. 5], requiring the parties to jointly prepare a statement concerning representation, the following is submitted:

A. Defendants remaining in the case:

1. Department of Corrections
2. Richard F. Allen, Commissioner of Department of Corrections
3. State Personnel Department
4. Jackie Graham, Director of the State Personnel Department

B. Attorneys in the case:

1. Russell W. Adams
2. Rocco Calamusa, Jr.
3. Warren B. Lightfoot, Jr.
4. John B. Holmes III
5. Abigail H. Avery
6. Kim T. Thomas

7. Alice Ann Byrne

C. Representation of parties:

Plaintiff:

Roy Hightower

Attorneys

Russell W. Adams
Rocco Calamusa, Jr.

Defendants:

State Personnel Department

Jackie Graham, Director

Department of Corrections

Richard F. Allen, Commissioner

Attorneys

Alice Ann Byrne

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Warren B. Lightfoot, Jr.
John B. Holmes III
Abigail H. Avery
Kim T. Thomas

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Kim T. Thomas

The parties agree that the Governor and the State of Alabama shall be dismissed from this action without prejudice, subject to the Plaintiff's right to reinstate the Governor and the State of Alabama as defendants upon notice to the Court and the parties. The Governor and the State would then be reinstated as defendants in this action as if they had never been dismissed such that any application statute of limitations shall be tolled during the dismissal period. The Defendants agree that no objection or defense arising from the dismissal will be raised.

Respectfully submitted, this 30th day of July, 2007.

/s/ Russell W. Adams
RUSSELL W. ADAMS (ASB 3760-A62R)
Attorney for Plaintiff

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/s/ Alice Ann Byrne
ALICE ANN BYRNE (BYR 015)
Attorney for Defendants
State of Alabama, Governor Fob James,
State Personnel Department and
Jackie Graham, Director of State
Personnel Department

Address of Counsel :
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LEGAL DIVISION
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/s/ Warren B. Lightfoot, Jr.
WARREN B. LIGHTFOOT, JR. (LIG 003)
JOHN B. HOLMES, III (HOL 115)
ABIGAIL H. AVERY (AVE 014)
Attorney for Defendants
Department of Corrections
and Richard F. Allen, Commissioner

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/s/ Kim T. Thomas
KIM T. THOMAS (THO ____)
Attorney for Defendants
Department of Corrections
and Richard F. Allen, Commissioner

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